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JRM
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PATENT

Attorney Docket No. 6556.0003-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Polk

Serial No.: 09/003,941

Filed: January 7, 1998

For: METHOD AND APPARATUS FOR PAYMENT
PROCESSING USING DEBIT-BASED
ELECTRONIC FUNDS TRANSFER AND
DISBURSEMENT PROCESSING USING
ADDENDUM-BASED ELECTRONIC DATA
INTERCHANGE



Group Art Unit: 2761

Examiner: E. Cosimano

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

TERMINAL DISCLAIMER

Petitioner ("assignee") Lockheed Martin Corporation, duly organized under the laws of the State of Maryland and having its principal place of business at 6801 Rockledge Drive, Bethesda, MD 20817, represents that it is the only assignee of the entire right, title, and interest in and to the above-identified application, Serial No. 09/003,941, filed January 7, 1998, for "Method and Apparatus for Payment Processing Using Debit-Based Electronic Funds Transfer and Disbursement Processing Using Addendum-Based Electronic Data Interchange," in the name of John Polk, as indicated by an assignment duly recorded in

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the United States Patent and Trademark Office at Reel 8948, Frame 0718 and is and at all times was the only assignee of application Serial No. 08/941,187, filed September 30, 1997 (see Notice of Allowance, dated May 11, 1999), for "Method and Apparatus for Payment Processing Using Debit-Based Electronic Funds Transfer and Disbursement Processing Using Addendum-Based Electronic Data Interchange" in the name of John Polk, as indicated by an assignment duly recorded in the United States Patent and Trademark Office at Reel 8833, Frame 0754. Assignee, Lockheed Martin Corporation, further represents that to the best of assignee's knowledge and belief, title to the above-identified application Serial No. 08/941,187, filed September 30, 1997, is in assignee, which is submitting this Terminal Disclaimer.

To obviate a double patenting rejection, Lockheed Martin Corporation hereby disclaims, under the provisions of 37 C.F.R. § 1.321, the terminal part of any patent granted on the above-identified application, Serial No. 09/003,941, which would extend beyond the expiration date of application Serial No. 08/941,187, filed September 30, 1997, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to application Serial No. 08/941,187, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application, Serial No. 09/003,941, that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156

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and 173 of any patent granted on the above-identified application, Serial No. 08/941,187, as presently shortened by any terminal disclaimer, in the event that any such granted patent on the above-identified application, Serial No. 08/941,187, expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term, as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this reply, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account No. 06-0916.

The undersigned is authorized to act on behalf of assignee Lockheed Martin Corporation.

I hereby declare that all statements made of my own knowledge and belief are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title

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18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

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By: Thomas H. Martin
Thomas H. Martin
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Date: August 6, 1999

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